



IBA President Jaime Carey (second from left) at the opening ceremony with (l-r) Justice Rosalie Silberman Abella, Federica D'Alessandra, co-chair, Rule of Law Forum, Afsoon McClellan, LexisNexis, Adam S. Goodman, vice-chair of the IBA Rule of Law Forum, Ian McDougall, LexisNexis

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MEET THE DELEGATES

Meet the delegates and hear why the IBA is important to them

Page 2

AI takes over from talent attraction as profession's top priority By John Malpas

Change management and AI training have taken over from talent attraction to top the global legal profession's short-term priorities, as the pace of change in the legal sector accelerates.

This is a key finding of the Future of Legal Services Global Heatmap Survey Report 2025, which will be unveiled at IBA Toronto 2025 tomorrow (see box).

While the two previous annual heatmap reports found AI to be moving rapidly up the profession's agenda, the 2025 edition finds that it has become the number one priority.

The report also notes that while attention on the impact of AI is high, perceived readiness to respond to it within the legal sector falls behind readiness in other areas.

This is the third annual report resulting from ongoing research commissioned by the IBA Future of Legal Services Commission.

The commission's co-chair, Soledad Atienza, dean of IE Law School in Madrid, said: "Artificial intelligence, political volatility and shifting societal expectations are redefining the legal landscape faster than our capacity to adapt. The legal profession must act decisively

– embracing foresight, agility and collaboration – to remain a pillar of justice and democracy."

For the first time, two rule of law-related issues – political uncertainty and threats to judicial independence – feature prominently among the profession's immediate challenges. ESG, on the other hand, which was once expected to grow in importance, has continued to move down the rankings.

Commission co-vice chair, Christopher Howard, university partnerships director at BARBRI Global in London, commented: "Safeguarding the independence of the legal profession is not just a professional issue – it's a rule of law imperative. The global legal community must remain vigilant and united."

The research is based on a global survey of IBA members and legal professionals from diverse regions, practice areas and roles.



IBA PRESIDENT'S INTERVIEW

In conversation with Jaime Carey

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THE RULE OF LAW IN PERIL

Q&A with IBA executive director Mark Ellis

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SESSION: **Mapping and exploring the Future of Legal Services: challenges and opportunities**

TIME: **Wednesday 5 November 09:30-10:45**

LOCATION: **Room 714 A+B, Level 700**

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Delegate Views

What value does the IBA conference provide for you?

Jordan Yang

Senior Partner
AllBright Law Offices
China



The IBA conference provides a platform that gives me comprehensive exposure to the international legal community. Networking and building relationships here support my legal practice in China, which focuses on cross-border investment, corporate and M&A, and banking and finance.

David O'Donnell

Partner
Mason Hayes & Curran
Ireland



The IBA conference is a great way to connect with lawyers from all over the world under one roof at one time. My focus is corporate practice and I've been able to connect with lawyers from multiple firms. These relationships help us to assist our clients to buy and sell businesses.

Julio Reyes

General Counsel
Agua Nuevas
Chile



As a general counsel, the IBA brings me the opportunity to understand different approaches to legal work outside Chile. For example, being here allows me to create relationships with many lawyers and build a network of colleagues in countries like Brazil, Mexico, Italy, Japan and Canada, among others.

Pilar Colomés Iess

Founding Partner
GNCI
Spain



My small boutique law firm in Spain focuses on international arbitration and cross border disputes. I have cases in many jurisdictions outside of Spain. The IBA's added value is helping me find colleagues in many jurisdictions, build relationships and receive referrals. It's an invaluable resource for a small law firm.

Asya Lee

Marketing Manager
Harvey
United States



From a marketing perspective, we are able to meet clients and prospects where they are right here at the conference. AI is one of the hottest topics of the conference and that's why we're so excited to connect with people and help them understand AI, the powerful new tool that can change the way they work.

Leonardo Merino

Partner
Merino Advokatbyrå
Sweden



The obvious answer is all the networking. I've already met many new colleagues from my home country of Scandinavia. I'm particularly interested in meeting AI suppliers I can use in my practice. I'm also here with my colleagues who have attended the IBA for 30 years and are introducing me to their contacts.

Namwandi Ndhlovu

Director of Risk & Compliance
Bank of Zambia
Zambia



The IBA makes you feel like you are part of a big, global family. I love being able to choose sessions I'm interested in. Being here enriches me because it's all about knowledge building and helping me stay a step ahead of what lawyers in private practice are doing.

Ankur Singhi

Founder and Managing Partner
S K Singh & Partners
India



The IBA gives me a different perspective, helping me to know the new legal trends and providing a global perspective on specific topics. Also, our firm has established good relationships with lawyers in the US and UK; these colleagues are here and are very helpful to us.

Favour Ifunanya Nwakaihe

Legal and Compliance Officer
Infil Petroleum Limited
Nigeria



The IBA helps me personally as an in-house counsel in the oil and gas space. The sessions give me exposure to the policies and regulations that advance the sector. I also appreciate the opportunity to meet other lawyers in the oil and gas industry as well as from around the world.

Tatiana Serrao

Partner
FBL Advogados
Angola



This is my third IBA conference and I might be the only Angolan lawyer here! My country needs to attract foreign investors and this is why I attend IBA. My practice focuses on foreign investment and M&A. If delegates need a lawyer in Angola, they know me and can contact me.

Roxana Vornicu

Managing Partner
Sirbu & Vornicu Law
Romania



I want to take my practice beyond the borders of Romania and demonstrate how my firm can give advice on contentious and non-contentious projects in various settings and jurisdictions. I'm excited because this is the first event where I am promoting the 'beyond the borders' aspect of my business.

Ana Paula Costa

Partner
Santos & Bevilaqua
Brazil



My practice is in the insurance and reinsurance market where I handle market both consultancy and litigation cases. At IBA, I'm meeting with the lawyers from the insurance law committee. My goal is to help them to know my law firm as well as to understand what we do in Brazil that can help them and their clients.

'When you start to change minds, that is when the law changes': lawyers address the LGBTQIA+ rights rollback

By Ben Rigby

LGBTQIA+ rights are being eroded around the world, with policies on marital rights and decriminalising homosexuality being reversed, according to IBA Human Rights Institute director Baroness Helena Kennedy LT, KC.

Speaking at Monday afternoon's IBA Showcase session, entitled Rejecting the rights rollback: advancing LGBTQIA+ equality around the world, she noted the erosion of freedoms in Uganda, Brunei, Nigeria and Chad, where same-sex relationships are being recriminalised, as well as the rollback of LGBTQIA+ rights in Europe and challenges in certain Caribbean jurisdictions.

Kennedy chaired the event alongside Robert Ellison, a former A&O Shearman lawyer on the IBA's Diversity and Inclusion Council. The session was attended by the current president of the Canadian Bar Association, three predecessors, two members of the House of Lords, an Olympic athlete and six speakers – all committed to equality.

Kennedy presented a pre-recorded video from UK peer Lord Cashman, a recognised campaigner on these issues, who spoke about a "well-organised and well-financed pushback" against LGBTQIA+ rights in the UK, and the importance of equality and the rule of law.

Cashman said: "In a civilised society, the principle of equality is not only the equal protection of the law, but the equal obligation to abide by the same laws," in that society.

Leading the session as keynote speaker via a video link was former Olympic athlete, YouTuber, avid knitter and LGBTQIA+

advocate Tom Daley OBE, in conversation with Kennedy, who had made a video about the experiences of LGBTQIA+ athletes for the BBC, titled Illegal to be me.

Daley shared his journey of coming out as gay and the challenges he faced, echoing Lord Cashman's words about the value of minorities standing together for equality. He said: "Speaking out about your accurate and honest experience is really important, but also being able to be open-minded when you speak to other people," adding: "Leading with curiosity and kindness is really important."

Daley stressed the value of creating spaces "where open and honest conversations can take place, to really share personal stories", so that advocates could change hearts and, thereby, change minds. He concluded: "When you start to change minds, that is when the law changes."

The session also featured updates from speakers introduced by Ellison. Adam Goldenberg, of McCarthy Tétrault, a leading Canadian advocate for the rights of LGBTQIA+ people, discussed the use of Canada's "notwithstanding clause" in ongoing litigation.

Goldenberg gave examples ranging from litigation regarding the use of pronouns in New Brunswick, where laws operating "in a manner detrimental to the rights of queer young people" were overturned, and discussed challenges to anti-trans laws in Alberta and Saskatchewan.

Anglo-Australian Georgia Dawson, senior partner of Freshfields in London, provided an overview of the legal and social landscape for LGBTQIA+ rights in Hong Kong, as well as in



Tom Daley

Singapore, Australia and the UK. She said the debate about equality had, in some instances, become wider, while other changes were arguably "more regressive."

Dawson agreed with Goldenberg that "the rise of populism is having an effect in domestic politics, and that is then playing through in slightly different ways in each of those parts of the world, some more dramatically than others".

The session concluded with Tim Prudhoe of 3 Hare Court sharing his experience litigating for LGBTQIA+ rights in the Turks and Caicos Islands, along with lively presentations from Njeri Gateru, of the National Gay & Lesbian Human Rights Commission, Nairobi, Kenya, and Frank Mugisha, of SMUG International, Uganda, which has reintroduced the death penalty for 'aggravated homosexuality'.

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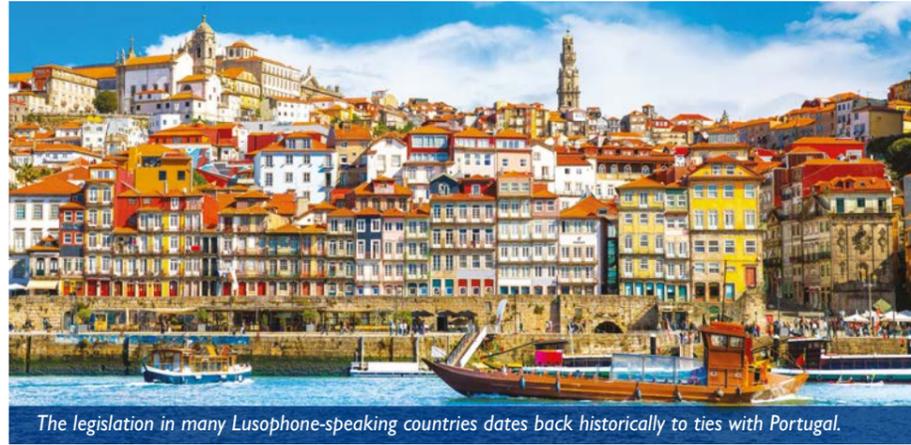
Roland M. Müller
Partner

PARTNER CONTENT

Doing business in Portugal

Morais Leitão: Powering investment in Africa

Portugal's buoyant economy and ties to Lusophone Africa make it a perfect launching point for businesses considering African investments, says Claudia Santos Cruz of Morais Leitão



The legislation in many Lusophone-speaking countries dates back historically to ties with Portugal.

What are the opportunities for international businesses in Portugal?

Since 2020 we've seen stability grow in Portugal, inflation fall, GDP increase and government deficit drop. We've experienced a significant influx of people, be it to reside or for tourism – our tourism figures in 2025 are in the region of 31 million people. Real estate prices, both residential and commercial, have risen, particularly in major cities but are still accessible to foreign investors. Major investment sectors have been healthcare, shopping centres and renewables. Transport infrastructure is back in focus, with major airport and railway upgrades planned. On the tech side, a new government incentive has been introduced: NHR 2.0, an incentive for scientific research and innovation with investors benefitting from a 20% flat tax rate. Portugal is also hosting the FIFA World Cup 2030 in conjunction with Spain and Morocco. So, there also are investment opportunities here.

In what ways can Portugal serve as a gateway to other Lusophone-speaking economies?

The legislation in many Lusophone-speaking countries dates back historically to ties with Portugal. Portugal has double taxation agreements (DTAs) and bilateral investment treaties (BITs) with all of these countries, which means it is an attractive jurisdiction for investors to incorporate SPVs as a springboard into Africa. An ideal solution for new investors cautious of investing directly, for example, into Mozambique or Angola. Portugal's Madeira Free Trade Zone is an added advantage for those seeking tax relief on their investments and is also a leading white flag in the international shipping sector. Most Portuguese banks are also established in Lusophone Africa offering project companies integrated banking solutions which helps alleviate investor forex concerns. Many clients also prefer to seat their arbitrations in Portugal for example, in construction or trade disputes, as a neutral seat. Portugal is therefore a sensible launching pad for those markets.

You have offices in Mozambique, Angola and Cape Verde, as well as Singapore. What opportunities are there for international businesses in those jurisdictions?

Mozambique is set to become an African energy powerhouse aiming at universal energy access by 2030, massive LNG exports, and a domestic energy boom to power economic growth domestically. Earlier this year the US approved an almost \$5 billion loan to TotalEnergies. In response, TotalEnergies, in consortium with Japan's Mitsui, Mozambique's ENH, India's Bharat Petroleum, Oil India and ONGC Videsh, and Thailand's PTTEP, officially lifted the force majeure on the long-delayed \$20 billion Mozambique LNG project, paving the way for the revival of one of the continent's most ambitious liquefied natural gas ventures. In Angola we are seeing the construction of the Lobito Atlantic Railway which will connect Angola to Zambia by train. This won't just shorten vessel routes that would ordinarily go around the Cape of Good Hope, it will also enable regional distribution across Africa. We are also still seeing significant oil and gas investment in Angola – BP, Total and Exxon have all invested in projects this year, and there are new licensing rounds coming at the end of this year. Cape Verde as a natural resource rich country has significant investment opportunities in renewables. Other investment opportunities are in real estate, infrastructure and in the shipping/ports sector. Morais Leitão also established a Singapore branch office, initially to support one of our long-standing clients – EDP Renewables, the 4th largest renewable company globally – but which is quickly now becoming a gateway for Asian investment into Africa. Many of the gas contracts in Mozambique have been taken by investor countries such as Korea, Taiwan and Japan.

What are the key legal considerations businesses should consider before entering those Lusophone markets?

Lusophone Africa can be challenging to do

business in, which is why we established our own integrated offices as a roadmap for our clients. These are not markets where you can get things done quickly. It's a long-term game. Setting up your infrastructure in a compliant manner is fundamental and investors need to accept that return on investment will take longer to achieve, but these returns are generally higher than in maturer markets. Some of these markets are also susceptible to forex challenges as well as global energy volatility. However, from the perspective of investment opportunities, Africa is boundless if you have the patience. You can't look at a global future without taking Africa into consideration, notwithstanding that it is often misunderstood and neglected. The key is investors structuring their businesses properly taking into account fundamentals such as local content. Thinking that they can enter and replicate their Global North investment strategies just won't work in the Global South.



Claudia Santos Cruz, partner at Morais Leitão – a full-service firm with operations in Portugal, Mozambique, Angola, Cape Verde and Singapore – is also vice-chair of the IBA

African Regional Forum and an officer of the Oil & Gas Committee.

Contact Claudia on (+351) 213 817 409 or email cscruz@mlgts.pt

For more information about Morais Leitão visit www.mlgts.pt

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L GALVÃO TELES, SOARES DA SILVA
& ASSOCIADOS

INTERVIEW

Landing on the Hudson was no miracle

When US Airways Flight 1549 took off from runway four at LaGuardia Airport in New York on a cold Thursday in January 2009, first officer Jeff Skiles had no idea that little more than five minutes later he would be helping land the plane on the Hudson River.

That incident is often referred to as the Miracle on the Hudson, but speaking at the IBA 2025 keynote address on Monday morning, Skiles explained that it wasn't really a miracle at all, but the result of training, safety procedures and teamwork.

Many people are probably already familiar with the story, given that it was turned into a Hollywood movie with Tom Hanks playing the part of captain Chesley 'Sully' Sullenberger. But when the plane was departing from LaGuardia that day, it was Skiles whose turn it was to fly. It was also his first trip flying the Airbus A320 aircraft, having previously been flying Boeing 737s. And it was also his first trip flying with Sully, who he had only met three days earlier.

"We can't depend on knowing the people that we work with, because we don't; every time we come to work we have to follow our training and our procedures religiously so that we can act as a team from that very first moment," said Skiles.

Takeoff that day had been textbook. The sky was clear and the plane had climbed to about 3,000 feet – still fairly low – when Skiles noticed something off to the right in the distance: a flock of Canada geese.

"In the aeroplane, by the time you see a bird, it's too late to do anything about it; you can't manoeuvre around it," said Skiles.

Seconds later, the birds struck the plane, tearing through the core of each engine. Both engines immediately lost thrust and the plane started to decelerate. At which point, Sully took back the controls and Skiles grabbed the trouble-shooting checklist. Skiles realised, however, that the manual for dealing with twin engine loss was not designed for a low altitude scenario.

The plane was at 3,000 feet and falling 1,000 feet a minute. It soon became clear that the plane would not make it back to LaGuardia, nor an alternative runway at Teterboro Airport in New Jersey. Scully and Skiles knew their only option was to land the aircraft on the Hudson River.

The big risk was that a wing tip would drag in the water and possibly cartwheel the plane. But fortunately the river was calm that day and clear from boat traffic, enabling them to bring the plane down and safely evacuate all



Jeff Skiles

The industry had spent decades making the machine safer, but only when we focused on people and gave them the training systems and support to be successful could we truly achieve safety in the airline industry.

passengers and crew from the plane, saving all 155 souls on the aircraft.

In total the flight had lasted five-and-a-half minutes – two minutes from takeoff until hitting the geese, and then three-and-a-half minutes until landing in the water.

New York State Governor David Paterson soon after coined the phrase 'Miracle on the Hudson'. But it was no miracle. Sully's leadership skills and calmness were second to no one, said Skiles. The flight attendants all acted bravely and professionally to safely evacuate every passenger as the plane started to fill with water. They were also supported by a revolution in safety engineering to help crews to react positively in stressful and time critical situations, Skiles said.

"This incident was not viewed as a failure, but as a success, validating our 20-year

commitment to safety improvement," said Skiles.

This was because the airline industry had recognised that eliminating mechanical factors and weather-related accidents was only part of the solution – they also needed to focus on people and reducing the chances of human error occurring.

Today, any error or omission by one pilot is pointed out by the other with no offence taken, said Skiles. And mistakes are self-reported. Pilots have a legal agreement with the Federal Aviation Administration whereby they won't be personally held responsible for an incident so everyone can learn from it.

"We have a personal interest in being honest and therefore becoming part of the solution... to give safety managers greater knowledge of the threats faced by all of us in the workplace, so they can develop standard operating procedures to track those mistakes," said Skiles.

All those lives were saved that day because Sully and Skiles were trained and ready to handle an extreme crisis.

"We were prepared and trained because of the leadership showed at all levels of the organisation, and because of the willingness of the organisation to look inward and question what we do and continuously make changes to meet developing threats," said Skiles.

He concluded: "The industry had spent decades making the machine safer, but only when we focused on people and gave them the training systems and support to be successful could we truly achieve safety in the airline industry."

‘Knowing that I am part of a continuum working to uphold the rule of law fills me with pride’

Ben Rigby profiles the first Chilean to become president of the International Bar Association

PROFILE



IBA President Jaime Carey with Justice Rosalie Silberman Abella, a former judge at the Supreme Court of Canada, recipient of the Benjamin Berell Ferencz Rule of Law Lifetime Achievement Award

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Yesterday, IBA President Jaime Carey introduced one of the heroes of the Miracle on the Hudson, first officer Jeff Skiles, an event made famous in film. Both men know a thing or two about ensuring group success in volatile times.

Carey, senior partner of Carey, Chile's largest law firm, is the first Chilean to serve as president of the IBA.

His appointment reflects his longstanding commitment to the organisation, spanning over four decades. Carey described his election as an honour, adding: "Knowing that I am part of a continuum working to uphold the rule of law fills me with pride."

As the Toronto conference arrives, Carey remains deeply committed to the rule of law. Early in his tenure, the IBA released a series of short films to raise awareness of the value of the rule of law worldwide.

He tells IBA Daily News: "Across the globe, the rule of law is facing serious challenges –

from the rise of populism and authoritarian tendencies to crises that strain institutional resilience. In these times, the legal profession must remain steadfast. The IBA, along with national bar associations, plays a crucial role in supporting jurisdictions where the rule of law is most vulnerable. This has always been one of the core goals of the IBA, and it remains so."

Reflecting on the strength of the IBA, he said it was in a "very sound" position, professionally and financially. "We have grown, have strengthened our institutions, and we are playing a more relevant role in the legal community, in the world arena on human rights, war crimes and in upholding the rule of law, the independence of the profession and of lawyers," he explained.

Artificial intelligence (AI) will be a central theme of Carey's presidency, as it is of the conference itself, with Carey noting that many sessions are centred on the subject, both technically and from ethical and regulatory perspectives.

"We believe that the IBA can play a very important role in the world in the context of ethical principles and regulation," he said. "We have been told by the leading world experts in the field that the IBA is the ideal organisation to take a lead in this respect."

Asked to highlight a session at the conference, he points to yesterday's Section on Public and Professional Interest-hosted: AI's impact on the legal profession: from threat to game-changing advantage

"It addresses one of the most transformative forces in law today, offering practical insights and strategies for firms, courts, and legal educators to thrive in an AI-driven environment. It's a conversation that will shape the future of our profession."

His own agenda has taken him to key IBA events across Africa, Asia, Europe and the Americas. "It has been spectacular to see the enthusiasm of African [and Asian] lawyers," he said, noting visits to Zambia, South Africa, Hong Kong and Vietnam, saying: "I believe we

have a debt and wish to bring the IBA closer to these continents."

The IBA Annual Conference, held under Carey's presidency in Toronto, is another personal milestone.

"Toronto is the perfect setting," he said. "I'm looking forward to experiencing the city's vibrant legal community, which reflects the values that make Canada so admirable: respect, humility and dialogue – all essential to sustaining the rule of law."

He added: "I'm personally delighted that we've been able to gather such an extraordinary number of attendees, making this the third-most attended annual conference in the IBA's history."

Carey's connection to Canada is longstanding. "Over the years, my firm has had the privilege of advising numerous Canadian companies – from mining enterprises to pension funds and

We believe that the IBA can play a very important role in the world in the context of ethical [AI] principles and regulation

beyond," he said. "Canada has consistently been one of Chile's top foreign investors."

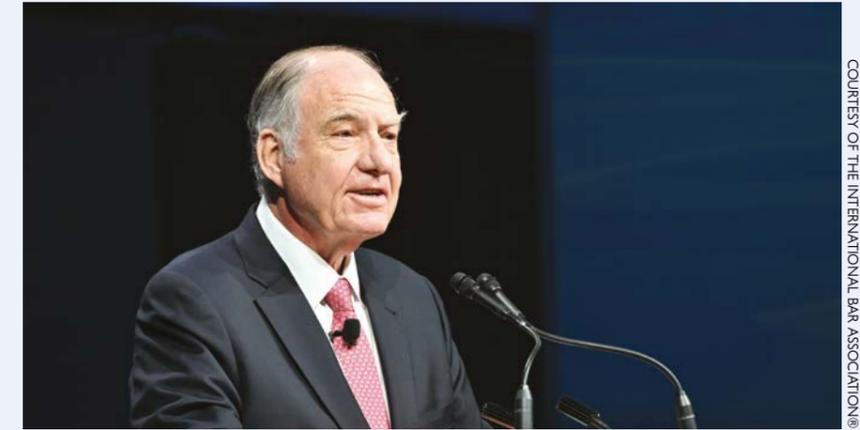
Carey highlights strong ties between Chile and Canada, with Canada increasingly keen to extend such relationships.

"Our countries share a long-standing friendship rooted in democratic principles, open trade and mutual trust – a foundation that continues to strengthen our legal and professional ties," noted Carey.

As for the host city, he said: "Toronto offers not just a beautiful backdrop, but a meaningful opportunity to strengthen our global legal community," adding: "I hope that the Canadian spirit of collaboration, one of the core values of this country, is mirrored in the IBA's work during the following days."

He concluded: "My message to every delegate is this: engage actively in committees, share insights from your jurisdiction, mentor younger lawyers and take home the knowledge and connections you gain here."

The role of the legal profession in our time



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This is an edited excerpt from IBA President Jaime Carey's speech at yesterday's opening ceremony

During my tenure, together with Claudio Visco, we have focused on several key priorities.

Technology, AI and legal ethics.

Artificial intelligence – and related technologies – are already reshaping how we practise law, how evidence is gathered, how disputes are resolved, and how rights are protected – or threatened. The key question is: How do we harness innovation without sacrificing accountability, fairness, transparency or dignity? We need robust frameworks, professional standards and cross-jurisdictional dialogue to ensure AI augments justice rather than erodes it. The IBA is working through its committees and policy groups to provide practical guidance, training and research on how technology can be implemented responsibly and ethically – ensuring innovation becomes a force for inclusion, not exclusion. We believe that the IBA – as the global voice of the legal profession – can and will play a central role in this area.

Diversity and inclusion, and the legitimacy of the profession.

A legal community that does not reflect society's diversity weakens its own legitimacy. We must resist complacency. The IBA has taken important steps – but we must go further: mentorship, removing structural barriers and promoting women and underrepresented groups in leadership. True inclusion is not tokenism – it is integration, power-sharing and continuous reflection. The IBA continues to advance this cause through diversity and inclusion

programmes and by fostering cooperation among bars and law societies across continents.

Geopolitical tensions, trade, sovereignty and international norms.

In a multipolar world, legal norms are being contested. How do states reconcile sovereignty with international obligations? How do lawyers operate when political tensions cross borders? We must strengthen cooperative mechanisms – mutual legal assistance, treaty frameworks and dispute resolution institutions. The IBA's regional forums and working groups are committed to training, advocacy and sharing best practices to uphold international norms even in challenging environments.

Access to justice, human rights, and institutional resilience.

Around the world, we see pressure on judicial independence, civil society and legal aid systems. The pandemic, inequality and conflict have strained our social contracts. Lawyers and institutions must adapt – through pro bono frameworks, legal tech and public interest strategies. The IBA and bar associations are working to support jurisdictions where the rule of law is fragile.

Focus on Africa and Asia.

We have sought to strengthen the IBA's relationship with Africa and Asia. We recognise that we have a debt to these continents – and a commitment to bring the IBA closer to them. I have already travelled twice this year to both Africa and Asia, and I will continue to look for ways to bridge the gap to make the IBA more accessible to lawyers in these regions.

‘Adaptability, resilience and curiosity’ – the most sought-after attributes for legal BD professionals

Ben Rigby reports from The High Tide marketing and business development conference

Law firms are increasingly seeking adaptable, client-facing business development (BD) professionals with diverse industry backgrounds.

That was a key message of the latest edition of The High Tide conference, arranged by members of the marketing and business development subcommittee of the IBA's law firm management committee (LFMC).

Delegates convened at the offices of Bennett Jones in Toronto on Saturday for the event, which focused on the evolving role of business development (BD) in law firms amid global transformation.

Opened by Katherine Hutchinson, senior manager, international business development at Bennett Jones, the conference blended a series of short talks and polls with panel debates on key topics featuring an international line-up of speakers.

Opening remarks from Paul Marmor, senior chair of the LFMC and head of dispute resolution and international at London firm Sherrards, were followed by panels and workshops addressing leadership through change, the adaptability quotient (AQ) and crisis management.

Michael Michaelides, A&O Shearman's global chief marketing officer, led a discussion on guiding BD teams through mergers and rebranding. A breakout session facilitated by consultancy BOOST BDM explored pushing boundaries in BD strategy.

A standout panel on hiring and retaining high-AQ talent featured insights from Nicky Acuna Ocana, regional managing director, US, UK & Europe at specialist recruiter Ambition, and Michelle Murray, Skadden's BD director, transactions, emphasising the need for resilience and engagement in legal teams, led by Liz Peneder, director of operations at Austrian law firm PHH.

Takeaways from the AQ session were that law firms are increasingly



The High Tide's organising committee

seeking adaptable, client-facing BD professionals, valuing diverse industry backgrounds. Delegates were told to expect more rigorous selection processes, with a focus on competencies and individuals with diverse industry experiences, not just those with a law firm background.

Resilience, curiosity and personal growth are key skills, with leaders playing a crucial role in mentoring, team progression and fostering a supportive culture.

Afternoon highlights included a fireside chat on crisis response led by Melissa Davis, founder and CEO of MD Communications. The final panel examined how general counsel expect firms to adapt, with speakers from Shell, OMERS and Terra One.

The day concluded with closing remarks from Hutchinson and a reception at The Walrus. With eyes now on IBA 2026 in Copenhagen, the event underscored the need for agility, innovation and collaboration – all values the IBA fosters.

COVERAGE

PARTNER CONTENT

Doing business in Mexico

A manufacturing gateway to America

Mexico's strategic location and deep trade ties with the US create a unique opportunity for international businesses seeking a cost-effective gateway to the US market, says Emilio Garate, partner at BC&B

What are the opportunities for international businesses in Mexico?

The greatest opportunity in Mexico lies in our proximity to the United States. We enjoy a strong bilateral relationship, and the USMCA free trade agreement represents a highly favourable framework for Mexico. Mexico also benefits from a robust and skilled workforce, supported by a well-established manufacturing base. Many products – whether components or finished goods – are produced in Mexico and then commercialised for sale in the United States, Canada and domestically. Of these, the US market remains the largest and most significant. Additionally, Mexico is a key beneficiary of the nearshoring trend, as businesses look to relocate operations from Asia. Our geographic advantage allows products to reach the US market within hours or days, in stark contrast to the weeks required for shipments from Asia. Given the current global tariff environment, Mexico's position under the USMCA provides a competitive edge over many other jurisdictions. This represents a major opportunity for international investors.

How would you describe the general business environment and culture in Mexico?

Conducting business in Mexico can be complex, which is why expert advice is essential – not only in legal matters but also regarding business customs and local practices. Mexican culture is deeply rooted in personal relationships – with family, clients and colleagues. Generally speaking, Mexicans are very trusting and relationship-oriented people. That said, corruption and insecurity remain significant challenges in certain regions, and these realities must be factored into any business strategy. This is why it is crucial to work with reliable local advisors who can navigate these risks effectively, especially for foreign investors. However, the impact of these challenges varies by sector and location. Many international corporations operate successfully in Mexico because they choose strategic locations and trusted partners.



Mexico's geographic advantage allows products to reach the US market within hours or days

Despite these difficulties, Mexico's people are hardworking, capable and eager to contribute. Our culture is one of commitment and effort.

How should international businesses approach structuring their investments in Mexico?

Mexico offers several types of legal entities suitable for foreign investment. The Sociedad Anónima de Capital Variable (S.A. de C.V.) is one of the most effective corporate vehicles. It is well-regulated, flexible and provides investors with strong rights and straightforward operational procedures. There are some restrictions on foreign ownership in specific sectors. However, approximately 99% of industries in Mexico are open to 100% foreign ownership, making it an accessible market for international investors.

What key legal challenges do international businesses face in Mexico that are unique to the country?

The main challenge lies in law enforcement. While Mexico has sound laws and a solid legal framework, implementation can be inconsistent. For instance, although our labour laws are comprehensive, workers are sometimes mistreated or unaware of their rights. Recent reforms allowing the election of judges may complicate judicial independence further. Nevertheless, these challenges can be managed effectively with the support of a strong and experienced legal team to safeguard compliance and protect investors' rights.

What legal reforms or developments should businesses be aware of?

The most significant upcoming reform involves anti-money laundering (AML) regulations. Money laundering remains a major concern in Mexico, and the United States has been

exerting substantial pressure on Mexican authorities to strengthen enforcement. Although Mexico's existing AML legislation is well-structured, implementation has been weak, with widespread issues involving shell companies and illicit financial flows. We expect meaningful reforms to be enacted within the next year – potentially sooner, given US pressure for prompt action.

Any final thoughts for international businesses considering opportunities in Mexico?

Mexico offers an exceptional investment environment with vast opportunities across multiple sectors. While corruption and security issues must be acknowledged, efforts are underway to address these challenges – supported in part by close US-Mexico cooperation. The US will always be our neighbour and principal trading partner. For that reason, Mexico represents a long-term, strategic and cost-effective gateway to the North American market.



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Independent law firms gain ground in global legal market, says report

Independent law firms are increasingly shaping the global legal landscape, according to a new report launched at the International Bar Association's (IBA) 2025 Annual Conference in Toronto.

'Navigating Global Growth: A Playbook for Independent Law Firms', which is published by MD Communications, reveals that smaller firms are thriving internationally by leveraging trust, agility and strategic relationships.

Based on a survey of IBA European Forum member firms, the report found that 91% of independent firms say international clients often become repeat clients. Additionally,

83% attribute up to a quarter of their instructions to IBA networks, while 62% have won clients who previously used global firms. A third reported gaining work due to conflicts that prevented larger firms from acting.

Melissa Davis, CEO and founder of MD Communications, said: "The firms we spoke to are redefining what global growth looks like. It's no longer about scale or office count – it's about trust, agility and the quality of relationships."

Sarah Carnegie, director of legal projects at the IBA, added: "Small and medium-sized

independent firms – those with under 50 partners – are hugely important members of the IBA, representing 44% of our global group membership."

Matt Cockburn, managing partner at Canada's Torys, noted: "What unites strong independents is a shared commitment to quality, trust and enduring relationships that transcend geography."

The report highlights the increasing global significance of independent legal practices and their capacity to compete with international firms through collaboration and specialised sector expertise.

‘We must be the generation that renews democratic principles’

While Mark Ellis is confident the Special Tribunal for the Crime of Aggression in Ukraine will succeed, he warns that the US is ‘experiencing a profound moment of reckoning’

For nearly four years, you have led the IBA's efforts to support Ukraine in its defence against Russia. In September, the IBA was one of the hosts for an event in The Hague to discuss the establishment and operationalisation of the Special Tribunal for the Crime of Aggression in Ukraine. What was the outcome of the meeting?

This event was part of a continuing series organised as part of the IBA's nearly four-year campaign to ensure Russia's leadership is held accountable for the crime of aggression against Ukraine. We convened leading Ukrainian and international legal and diplomatic figures to examine how the special tribunal will be structured and how it can function effectively. The meeting reinforced both momentum and unity of purpose. It made clear that a broad coalition of states and experts stands ready to ensure that Russia's top officials do not escape accountability for launching an illegal war. The outcome was a renewed and public commitment to operationalising the tribunal without delay. The IBA's position is clear, as

reflected in the IBA Council's unanimous resolution in 2023 to support the creation of the special tribunal. In short, the international community must press ahead and make the tribunal a reality as soon as possible.

How optimistic are you that the special tribunal will indeed be established and the key architects of the invasion of Ukraine brought to justice?

I remain very optimistic. Ukraine and its coalition of supporting states – notably through the Council of Europe – have made significant progress in laying the legal and institutional groundwork for the tribunal. The necessary agreements have been drafted, endorsed and supported politically. This clear mandate should enable its establishment.

As for bringing the “key architects” of the invasion to justice, a central legal limitation concerns the personal immunities enjoyed by the so-called “troika” – sitting heads of state, heads of government and foreign ministers – who enjoy absolute immunity from criminal

jurisdiction before foreign courts, including this tribunal. The tribunal's prosecutor will be able to investigate and prepare an indictment against Vladimir Putin, but the tribunal cannot issue an arrest warrant or proceed with the case while he remains in office. However, history shows that political regimes and leadership change over time; when they do, those previously shielded lose immunity and become subject to prosecution.

Importantly, the category of “key architects” is not limited to the “troika”. Under the leadership clause of the crime of aggression, any individual who exercised control over, or directed, the state's political or military actions in launching the war can be held responsible. That encompasses a broader circle of senior officials.

Apprehending the accused remains a major challenge. Recognising that top officials may not be surrendered anytime soon, the tribunal's statute allows for in absentia proceedings (although not for the “troika”). Under carefully defined conditions, the

tribunal will be able to conduct a trial and even deliver a judgment against an accused who remains at large. Strong international legal safeguards are built in to ensure fairness in such in absentia proceedings. This provision is significant: it will permit a formal judgment of guilt and create an authoritative historical record – vital for truth, accountability and the victims of this war.

While the International Criminal Court (ICC) does not have the power to try crimes of aggression involving Russia, it is nevertheless actively investigating alleged crimes and has issued an arrest warrant for Russian president Vladimir Putin, among others. Can you bring us up to date on its investigations?

Yes. In March 2023, the ICC issued arrest warrants for Putin and Maria Alekseyevna Lvova-Belova, the Russian Federation's presidential commissioner for children's rights. The warrants relate to the unlawful deportation and transfer of Ukrainian children from occupied territories to Russia.

More recently, the court has issued warrants for Lieutenant General Sergei Ivanovich Kobylash, Admiral Viktor Nikolayevich Sokolov, Sergei Kuzhugotovich Shoigu, then minister of defence, and Valery Vasilyevich Gerasimov, then chief of the general staff of the armed forces, for war crimes and crimes against humanity.

These actions demonstrate that the ICC remains a vital mechanism for accountability, complementing the future work of the Special Tribunal.

In last year's Q&A, you correctly predicted that the ICC's issuing of arrest warrants for senior Hamas and Israeli officials, including Israel's prime minister Benjamin Netanyahu, would lead to serious political fallout. The IBA has condemned the issuing of sanctions against ICC officials by President Donald Trump's administration. What impact will these sanctions have on the ICC?

The Trump administration has revived and expanded a deeply troubling practice first seen during his earlier term: weaponising US sanctions against the ICC. Through a series of executive orders, President Trump has authorised punitive measures targeting ICC judges, prosecutors and senior staff simply for performing their judicial duties.

The IBA has unequivocally condemned these sanctions. They are an assault on the rule of law and on judicial independence. It is deeply disheartening to see the US – long regarded as a global defender of legal norms – adopting tactics more typical of authoritarian regimes. By sanctioning ICC personnel, the US seeks to



Mark Ellis, executive director of the IBA.

“History demonstrates that a democracy without values easily turns into open or thinly disguised totalitarianism.”

a global beacon of justice, equality and predictability under the rule of law is now confronting the gradual erosion of these very ideals. Increasingly, loyalty is being valued above legality, passion above principle and power above justice. The constitutional guardrails designed to protect democracy – notably the separation of powers – are faltering. Foundational principles of the US Constitution are being disregarded. President Trump now wields near-unfettered authority, using the machinery of state for personal and political ends.

This assault on liberal democracy has global repercussions. It emboldens autocratic leaders and accelerates a dangerous trend toward authoritarianism worldwide – a trend marked by open contempt for the most basic elements of the rule of law.

Last month, I travelled with my 17-year-old son to Auschwitz. While in Kraków, we visited the church of Pope John Paul II, a man who devoted his life to defending human dignity and freedom. I came across one of his remarks from 1991: “History demonstrates that a democracy without values easily turns into open or thinly disguised totalitarianism.”

Those words serve as a sobering reminder of democracy's fragility and the ever-present threat of tyranny. We cannot be the generation that stood idly by as the foundations crumbled. We must be the generation that renews democratic principles, rejects the false comfort of division and exclusion, and affirms that a nation's true greatness lies in the enduring strength of the rule of law.

Mark Ellis is executive director of the IBA.



Ellis is optimistic Ukraine, led by Volodymyr Zelensky (below) will succeed in establishing a special tribunal; Russia's president, Vladimir Putin (top left), has been issued with an arrest warrant by the ICC, although US President Donald Trump (bottom left) is “weaponising” US sanctions against the court.



IBA 2025 Toronto

Key sessions to look out for during a week that will set the agenda for global law at the Metro Toronto Convention Centre



Tuesday

13:15-14:15

A conversation with... **Bob Woodward**

Room 718 A, Level 700

Bob Woodward, associate editor of The Washington Post, is one of the most influential investigative journalists of the modern era. Famous for uncovering the Watergate scandal with Carl Bernstein, he has since written about 10 US presidents, producing 23 bestselling books, 17 of them reaching the number one spot. Known for his meticulous reporting and unparalleled access to political insiders, Woodward, who has won the Pulitzer Prize twice, continues to reveal the inner workings of power. His 2022 audiobook, The Trump Tapes, features 20 unedited interviews with Donald Trump.



Bob Woodward, associate editor of The Washington Post

KIM KELLEY-WAGNER / SHUTTERSTOCK.COM

14:30 – 17:30

Legal Practice Division showcase – killing the news: a global phenomenon

Room 716 A, Level 700

Senior journalists, media lawyers and press freedom campaigners will gather to discuss the growing threats to press freedom and the rule of law worldwide. With more than 2,000 journalists killed in the past two decades and harassment – particularly of women – rising both online and in courtrooms, the session will explore how intimidation, judicial harassment and a culture of impunity are silencing the media and consider how journalism's essential role in sustaining democracy can be defended. Speakers will include Karen Kaiser, general counsel at the Associated Press in New York and chair of the IBA Media Law Committee; Paul Caruana Galizia, investigative reporter at the Financial Times in London; and Jason Rezaian, director of press freedom initiatives at The Washington Post in Washington DC.

This panel, moderated by the IBA's executive director, Mark Ellis, features a top line-up of leading figures in international law. They include Arnold & Porter partner John B. Bellinger III, former legal adviser to the US Department of State under Secretary Condoleezza Rice; former Canadian minister of justice and attorney general Irwin Cotler; and Judge Kimberly Prost, who serves on the International Criminal Court and previously held senior roles at the UN and the International Criminal Tribunal for the former Yugoslavia. The line-up is completed by Alberto Mora, a senior fellow at Harvard Kennedy School's Carr Center for Human Rights Policy and former general counsel of the US Navy; Michael Scharf, associate dean for global affairs at Case Western Reserve University School of Law; and Beth Van Schaack, Stanford Law School professor and former US ambassador-at-large for global criminal justice.

14:30-17:30

Bar Issues Committee Showcase – time to let go – defining legal services and the role of lawyers

Room 716 A, Level 700

Chaired by Bar Issues Committee (BIC) officer Claudia Amore, executive director of the Colombian firm Cámara de Servicios Legales – ANDI, this session will explore how the legal profession is evolving in light of the growing

provision of traditional legal services by non-lawyers and other licensed professionals. Among the speakers are Christina Blacklaws, former president of the Law Society of England and Wales and founder of Blacklaws Consulting; Teresa Donnelly, president of the Federation of Law Societies of Canada; Vincent Maurel, a partner at KPMG Avocats in Paris and a member of the executive board of the Conseil National des Barreaux, the national representative body for French lawyers; and Tshepo Shabangu, vice chair of the IBA Bar Issues Commission and past president of the Law Society of South Africa.

Thursday

08:00-09:15

Section on Public and Professional Interest Awards breakfast

Room 5, Level 500

This breakfast hosted by the Section on Public and Professional Interest (SPPI) will feature the presentation of three awards: the IBA Award for Outstanding Contribution by a Legal Practitioner to Human Rights, the IBA Outstanding Young Lawyer Award, and the IBA Pro Bono Award.

9:30-10:45 and 11:15-12:30

SPPI Showcase – Law not war: parts one and two

Room 716 A, Level 700

This SPPI showcase will explore how lawyers can use law and legal procedures to broker peace talks and bring war crimes to justice. Among an array of top speakers is Dr Olufemi Elias, judge ad hoc at the International Court of Justice, who will deliver a keynote speech. The distinguished international jurist currently serves as president of the Administrative Tribunal of the OPEC Fund in Vienna and chair of the Administrative Tribunal of the Islamic Development Bank in Jeddah. The proceedings will be chaired by the SPPI's co-chairs, Dr Babatunde Ajibade SAN, managing partner of S P A Ajibade & Co in Lagos, and Kirsty Sutherland, a barrister at 9 Bedford Row Chambers in London and co-chair of the IBA War Crimes Committee.

CONTINUED ON PAGE 14

PARTNER CONTENT

Doing business in Canada

Ready for business

Canada's attractive regulatory and tax environment makes the country a competitive destination for foreign investment, say Gardiner Roberts partners Soma Ray-Ellis, Arlene O'Neill, Vitaly Timokhov and Christopher Besant

What is the employment regulatory regime like in Canada for companies setting up a new business?

Canada has one of the most highly educated and skilled workforces in the world. This combined with free healthcare and accessible childcare rates makes Canada one of the most attractive regulatory regimes to set up shop. Canada's employment regime is bifurcated where certain industries like



Soma Ray-Ellis, partner and chair of the employment and labour law group

banking, aviation and inter-provincial transportation are subject to the federal jurisdiction, while most companies are provincially regulated. There are clear laws defining obligations of employers which include human rights protections, occupational health and safety requirements, workers compensation rights, and minimum standard legislation. Unionised employers are subject to labour legislation which govern the collective bargaining regime. In addition, companies are expected to have policies and practices consistent with mandatory legislation for such things as disability accommodation, anti-racism and discrimination practices, along with the right to disconnect. Complaints with respect to employment issues may be heard either by the courts or various tribunals implementing the legislations. In addition, employees have protections under the Canadian common law. The common law provides additional rights beyond the statutory regime. A large part of common law rights involves interpreting written or verbal employment contracts and other judge-made laws. Canadian employment law also has a lot in common with the regulatory regime in the United States and the common law of the United Kingdom.

How would you describe Canada's business environment for foreign investment?

Canada has a stable and business-friendly environment where investors can structure operations at a federal or provincial level. Canadian jurisdictions present a staple of modern laws that address stakeholder rights



Arlene O'Neill, partner and co-chair of the business and corporate commercial group

in a predictable manner similar to many United States' jurisdictions. Canada also provides a secure and predictable legal system for carrying out transactions and for resolving disputes. Corporate law statutes in Canada set out clear expectations for directors and officers – imposing a fiduciary duty on individuals serving in those roles.

What tax considerations should international businesses be aware of when investing in Canada?

Canada offers one of the most competitive and investor-friendly tax regimes among developed economies. Typically, a foreign investor will operate business either through a branch or a Canadian corporation. Corporate income tax applies federally and provincially, with combined rates generally between 23%-31%, with

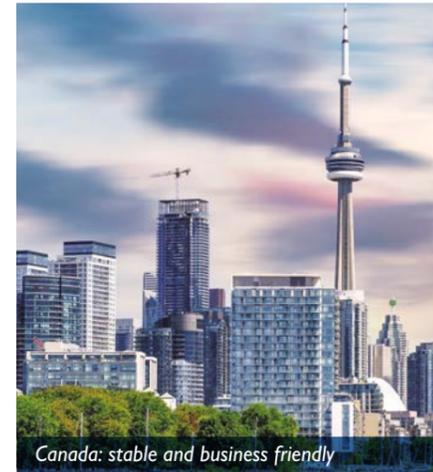


Vitaly Timokhov, tax partner

Ontario standing at a very competitive rate of 26.5%. Branch operations are taxed on Canadian-source profits at corporate rates, with an additional branch profits tax of 25%, reduced by tax treaties to as low as 5%. Canada maintains an extensive OECD-aligned treaty network with over 90 jurisdictions. These treaties mitigate double taxation, reduce withholding rates and provide dispute resolution mechanisms. They also incorporate provisions on transfer pricing, exchange of tax information and anti-avoidance. Canadian withholding tax applies to dividends royalties, related party interest and certain fees paid to non-residents, typically at 25%. There is no withholding tax on arm's length interest payments. The withholding tax rates are reduced by Canadian tax treaties. For example, the Canada-US treaty lowers dividends to 5% for substantial shareholders. European treaties provide similar relief.

How would you describe the commercial dispute resolution landscape in Canada?

The Canadian litigation landscape has four key



Canada: stable and business friendly



Christopher Besant, partner

elements: (i) commercial disputes, which are generally handled by specialised commercial courts in each province; (ii) insolvency proceedings, which are also handled by the commercial courts; (iii) class actions, which are also handled by provincial courts but are coordinated interprovincially to achieve binding national results,

an area which has grown dramatically in the past decade; (iv) extra-judicial arbitration and mediation proceedings which are also playing an increasingly important role in disputes, and the results of which are seamlessly integrated with the court run litigation process. There are pending reforms under discussion to dramatically reduce the time and cost of commercial litigation, which are in part inspired by short cuts implemented in the insolvency arena by commercial courts. Because of the historical integration with the US economy, Canadian courts also have sophisticated experience in managing cross-border litigation and insolvency matters, and despite recent trade tensions, continue to encourage international cooperation in dispute resolution.

Toronto-based Gardiner Roberts LLP is a full-service law firm serving Canadian and international businesses.

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INTERVIEW

IBA 2025 Toronto

Key sessions to look out for during a week that will set the agenda for global law at the Metro Toronto Convention Centre



FROM PAGE 12

Friday

0900 - 1500

The Rule of Law Symposium

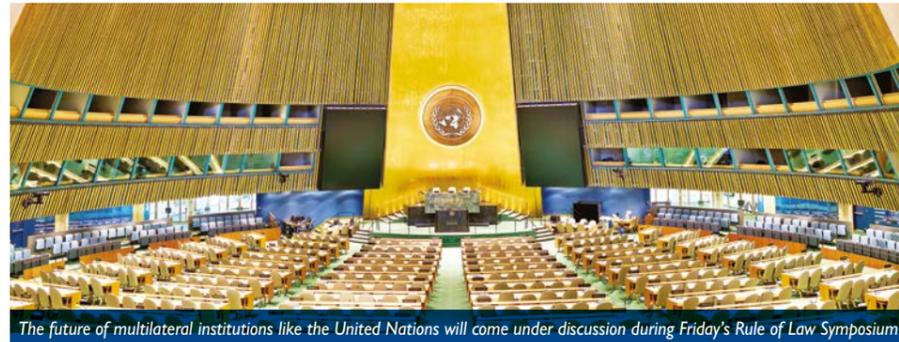
Room 716 A, Level 700

Organised by the Rule of Law Forum, this annual symposium underscores the IBA's commitment to promoting and defending the rule of law worldwide. This year's programme will feature three thought-provoking sessions that will bring together leading practitioners, policymakers and academics to debate the global challenges facing the rule of law and reaffirm the legal profession's vital role in upholding justice and accountability. The symposium, which includes lunch, is free to attend, including for those who are not registered to attend the conference although they must register by Wednesday 5 November. The online registration form can be found at ibanet.org.

09:00-10:45 Session One

The future of multilateralism: international law and institutions in an era of impunity and great power competition

An expert panel will discuss the implications of the rise of a multipolar world and intensifying geopolitical conflicts, which are undermining international law and multinational institutions. A 19th-century-style great power competition has made a



The future of multilateral institutions like the United Nations will come under discussion during Friday's Rule of Law Symposium

MB_PHOTOGRAPHER / SHUTTERSTOCK.COM

comeback, with the United States retreating from historic commitments to alliances and multilateralism. The discussion will explore what the future might hold for international law, international institutions and multilateral cooperation. It will be led by Federica D'Alessandra, deputy director of the University of Oxford's Institute for Ethics Law and Armed Conflict, director of the Oxford Programme on International Peace and Security and Non-resident fellow at the Carnegie Endowment for International Peace.

11:00-12:30 Session Two

Civility and the legal profession competition

This panel will examine how smartphones, social media, political polarisation and social isolation have deepened societal divisions and impacted the legal profession, which faces accusations of "lawfare" from across the political spectrum. Panelists will explore how lawyers can both contribute to these

divisions, on the one hand, and help heal them through dialogue, reconciliation and fair legal practice. This session will be moderated by New York-based Holland & Knight partner Robert Bernstein, co-chair of the IBA Project Establishment Subcommittee.

13:30-15:00 Session Three

Sanctions: economic warfare and the law

With international conflicts increasingly fought through economic as well as conventional means, sanctions have become a rapidly evolving area of legal practice. This panel will explore the role of sanctions as non-judicial tools of international law enforcement and examine key concerns, including their impact on access to justice, legal representation, and the role of lawyers, business, and the administration of justice during times of conflict. This session will be chaired by Michael Polak, secretary-treasurer of the Rule of Law Forum, of Church Court Chambers in London.

Social events: who is speaking where

An essential component of the IBA's Annual Conference are the lunches, dinners, receptions and excursions organised by its various divisions, sections, fora and committees. There are more than 50 social events taking place over the course of the week, some of which feature guest speakers. They include:

Matthew Boswell, Canada's Commissioner of Competition, is speaking at the Antitrust Section lunch, which takes place today (4 November) from 12:30-15:00 at Aria Restaurant, 25 York Street, Toronto, M5J 2V5.

The Right Honourable Richard Wagner, the 18th Chief Justice of Canada, is the special guest at the North American Regional Forum lunch which takes place today from 12:45-14:15 in room 501, level 500. This event is sold out.

David MacNaughton, who served as the Canadian ambassador to the United States from 2016 to 2019 and is currently president of software company Palantir Canada, is speaking this evening at the Corporate and M&A Law Committee reception and dinner, which takes place from 19:00-22:30 at Art Gallery of Ontario, 317 Dundas Street West, Toronto. This event is sold out.

The Honourable Marco E L Mendicino, a former federal prosecutor, member of parliament, cabinet minister and chief of staff to Prime Minister Mark Carney, is speaking tomorrow (5 November) at the Legal Practice Division lunch, which takes place from 12:45-14:15 in room 501, level 500. This event is sold out.

David Ben, one of the world's foremost sleight-of-hand artists, is the special guest at the Section on Public and Professional Interest on Thursday, from 12:45-14:15 in room 401, level 400. This event is sold out.

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Our IBA team: Back row (l to r): Mevan Bandara, Shahram Safai, Saurbh Kothari, Chatura Randeniya
Front row (l to r): Bashir Ahmed, Charles Laubach, Danielle Lobo

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